MASS. TC40.2: M45/3/2pp.

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[Appendices]

TC 40.2
M45/3

This section contains the appendices to the various elements of the 504 Plan, which are listed in the table of contents as "Separately Bound".

The MBTA Transition Plan and Testimony are separate.

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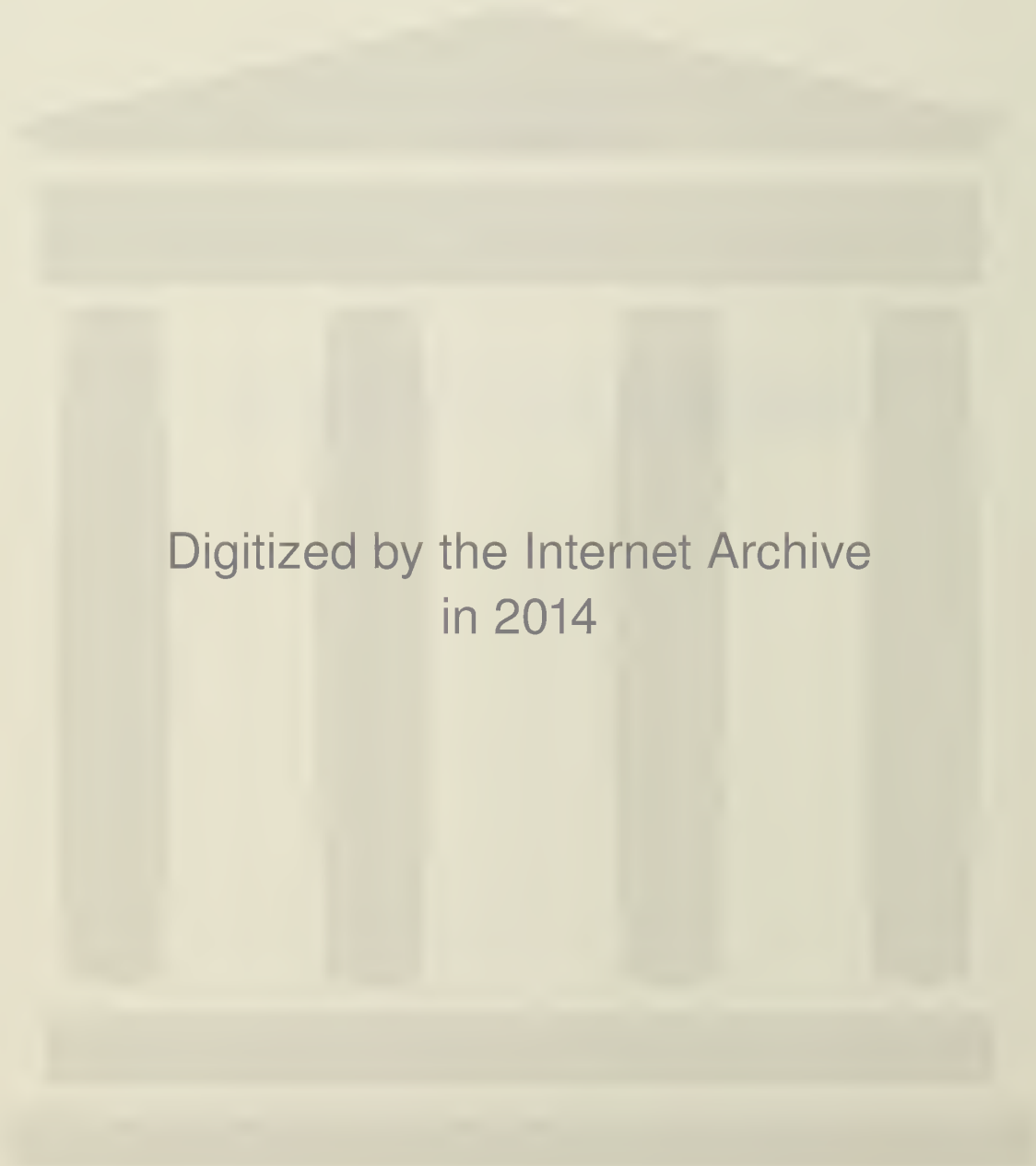
APPENDIX A

EVALUATION OF 16(b)(2) ACCESSIBILITY



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I. Introduction

The Executive Office of Transportation and Construction (EOTC) is presently administering a fifth year of Section 16(b)(2) funding in the Commonwealth of Massachusetts. As defined in the program guidelines distributed in 1976, EOTC serves as an administrative, implementing agency and conduit for capital grant awards which are made by the Urban Mass Transportation Administration (UMTA) to selected private, non-profit transportation providers.

This plan and evaluation of 16(b)(2) programs has been developed as a statewide transition plan for all recipients who have been awarded vehicles that have or will arrive after the July 1, 1979 date highlighted in the U.S. Department of Transportation S. 504 Guidelines published May 31, 1979. A total of 31 such agencies are included. The body of this plan provides an agency by agency review of compliance with S. 504 requirements and a review of the policies, practices, and procedures that have been adopted by EOTC in the administration of the program. As suggested by UMTA*, one consolidated statewide plan has been developed to reduce the administrative burden of S. 504 planning on individual, private, non-profit providers.

Section 16(b)(2) of the Urban Mass Transportation Act of 1964, as amended, provides for grants "...to private non-profit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly and handicapped persons for whom mass transportation services as planned, designed, and carried out under (Section 16(b)(2)) are available, insufficient, or inappropriate..." As defined under part (d) of Section 16, a "handicapped person" is "... any individual who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or inability , is unable without special facilities or special planning or design to utilize transportation facilities and services as effectively as persons who are not so effected.

To date, grants awarded under S. 16(b)(2) are limited to vehicles and related equipment (lifts, mobile radios, etc.). Recipient agencies must develop their own sources of operating assistance through available federal, state, and local services.

As suggested in the legislative description of the Program, Section 16(b)(2) assistance is focused entirely on the elderly and handicapped population. Accessibility is a primary concern in all aspects of the program. For example, all vehicles awarded to the 31 agencies presented in this plan are or will be lift-equipped. It is a policy of the Massachusetts 16(b)(2) Program that all vehicles have lowered front steps, hydraulic wheelchair lifts, and other interior features that ensure accessibility. The vehicle specifications for the program (both vans and minibuses) are provided as Attachment I.

* As per Ms. Eileen Koc at TRB Conference Session entitled "Providing Transit for the Transportation Handicapped: Section 504 Implementation Problems," January 23, 1980.

EOTC and the private, non-profit recipients realize, however, that compliance with the S.504 Guidelines means more than physical accessibility of equipment. Also required is non-discrimination in service policies, employment practices and other policies and procedures of the agency. Fixed-facility accessibility is also mandated. Therefore, in addition to a summary of equipment operated and to be delivered, the policies and practices of each agency have been reviewed at the local level, with the participation of interested persons, including handicapped persons, and are included in this document.

Due to the fact that all 16(b)(2) equipment to be delivered to the agencies is accessible, this plan and evaluation of compliance is focused on the following areas:

1. Formal Assurances as required by Sub-Section 27.9,
2. Policies and Procedures specified in Sub-part C, "Program Accessibility" (particularly 27.95),
3. Employment practices as required by Sub-part B, "Employment Practices," and
4. Facility Accessibility mandated in Sub-section 26.65.

Summaries of individual agency evaluations and plans for compliance, provided in Section IV of this document are organized along the items required in Sub-Section 27.103 (c), "Plan Content."

II. The 16 (b)(2) Program in Massachusetts

A. Inventory of Agencies and Vehicles

Four rounds of 16(b)(2) funding have been awarded by EOTC as of the date of submission of this plan. In the first round of the program (FY 1975 funding), a total of 42 vehicles were delivered to 19 separate private, non-profit arganizations. This equipment was delivered in late 1976 and is therefore not included in this review and plan. First round agencies will be required to comply with S.504 regulations only in the event that they reapply for future funding and are accepted for assistance.

The second round of the program (FY 1976 funding) saw an additional 35 vehicles awarded to 17 agencies - 16 of these agencies unduplicated from the first round. Thirty-three (33) of these vehicles were delivered in the fall of 1978 and are not included in this plan and evaluation. Two (2) vehicles are to be purchased with contingency funds and will be delivered in July, 1980. These two vans were awarded to the following provider:

1. Mt. Grace Regional Transportation Corporation

In the third round of the program (FY 1977 funding), 13 agencies were awarded a total of 29 vehilces. This equipment will be delivered in July and August of 1980. A summary of third round recipients is given below:

1. Eunice Kennedy Shriver Center, Inc.
2. Federated Dorchester Neighborhood Houses, Inc.
3. Friends of Marlborough Seniors, Inc.
4. Hampden County Association for Retarded Citizens
5. Lutheran Services Association, Inc.
6. Minuteman Home Care Corporation
7. Mt. Grace Regional Transportation Corporation
8. People's Alternatives for Community Living, Inc.
9. St. Francis Home, Inc.
10. Far Fetched Transportation, Inc.
11. United Cerebral Palsy Association of Western Mass., Inc.
12. Transportation the Handicapped and Elderly in Mass., Inc.
13. West Suburban Elder Services, Inc.

Finally, in the fourth round of the program (FY 1978 funding), 19 organizations were included in the statewide program of projects submitted to UMTA for funding. Thirty-five (35) vehicles will be delivered in early 1981 under this round. To date, 18 of these agencies have received formal approval from UMTA. An award to one agency, Elder Services of Cape Cod and the Islands, Inc., has been withheld pending a review of the operational structure proposed in the application for funding. This agency is, however, included in this review and plan in order to ensure compliance in the event that the application is subsequently approved. The agencies under the fourth round, to be included in this plan are:

1. Age Center of Worcester, Inc.
2. Bristol County Home Care, Inc.
3. Chelsea/Revere/Winthrop Transportation, Inc.
4. Community Action, Inc. of Haverhill
5. Community and Regional Opportunity Program, Inc.
6. Council of Elders, Inc.
7. Cushing Hospital Auxiliary, Inc.
8. Elder Services of Cape Cod and the Islands, Inc.*
9. Gardner Community Action Committee
10. Greater Lynn Senior Services, Inc.
11. Hilltown Transportation, Inc.
12. Island Councils on Aging, Inc.
13. Nantucket Center for Elder Affairs, Inc.
14. National Center for Black Aged
15. South Central Massachusetts Elderbus, Inc.
16. Southwest Boston Senior Serives
17. & 18. United Cerebral Palsy Association of the North Shore/ North Shore Elder Services, Inc.**
19. West Suburban Elder Services, Inc.

Figures 1-30 on the following pages provide a fleet summary by agency. Vehicles presently in operation are indicated and the impact on accessibility of the 16(b)(2) equipment is shown. In each case, it is felt that the ratio of accessible equipment to non-accessible equipment allows the agency to provide equal service to handicapped persons. Decision on 16(b)(2) involvement in capital

* Final decisions on application still under consideration by UMTA.

** Joint project involving both agencies.

replacement beyound the existing awards is not indicated and is dependednt upon future applications and funding. Flat configuration is tracked for five (5) years from the date of delivery of 16(b)(2) equipment which is the useful life of the project as defined by UMTA.

B. Administrative Policies and Procedures

In order to ensure non-discrimination on the basis of handicap in the 16(b)(2) program, the EOTC has developed several administrative policies and procedures for program development, selection, and review. These include service requirements, application assurances, and application selection criteria. Program policies and practices are developed through and constantly reviewed by an Interagency Advisory Committee (IAC) which is made up of representatives of the following state agencies:

Department of Mental Health
Commission for the Blind
Massachusetts Developmental Disabilities Commission
Office for Handicapped Affairs
Department of Public Welfare
Rehabilitation Commission
Department of Elder Affairs
Office for Children
Department of Public Health
Department of Community Affairs
Office of Communities and Development
Central Transportation Planning Staff
Department of Manpower Development

1. Public Information and Program Requirements:

The following statements of program policy and requirements are included in public information which is distributed each funding year:

- The basic program information handout entitled "Elderly and Handicapped Transportation: The 16(b)(2) Program" states that vehicles and equipment are "....to be used in the provision of transportation services to elderly and handicapped persons."

- The cover memorandum for all Preliminary Applications again reiterates that,"(t)hese vehicles are to be used to transport elderly and handicapped persons..."

- The cover memorandum for all Final Applications notes that "(s)ervice must be available to the elderly, and handicapped (regardless of age)."

- The "Basic Administrateive and Program Guidelines" that are distributed state that "(t)he proposed project must be aimed at serving elderly and handicapped persons. Handicapped persons regardless of age must have access to the proposed service." (Emphasis is part of text.)

- The "Basic Administrative and Program Guidelines" state further that "(t)he applicant must provide assurance of non-discrimination on the basis of handicap..."

o The "Obligations of Approved Applicants" form provided to each agency states that "(v)ehicles and equipment acquired by 16(b)(2) organizations must be available for use by the general elderly and handicapped public." (Emphasis included in text.)

o The "Obligations of Approved Applicants" further states that "(a)pproved applicants must comply with the Department of Public Health regulations for chair car vehilces." These regulations require special safety equipment on vehilces and require that drivers be trained in first aid, cardio-pulmonary-resuscitation and sensitivity to the needs of elderly and handicapped.

Each of these pieces of program inforamtion is provided in Attachment II.

2. Application Process:

Each program funding year, The EOTC conducts an application process which consists of two stages. Initially, agencies interested in pursuing program assistance are asked to file a Preliminary Application. This Preliminary Application is used primarily to determine: (1) The eligibility of the prospective applicant regarding private, non-profit status; (2) The eligibility of the prospective program being proposed, and; (3) The potential for coordination of services in similar areas. The review of program eligibility looks specifically at the planned inclusion of both elderly, and handicapped persons of all ages in the service plan. Question #12 of the Preliminary Application asks the applicant to specifically identify the planned inclusion of physically and mentally handicapped persons in the overall program.

Based on a review of the Preliminary Application, agencies are asked to complete a Final Application form. The following information requested in this Final Application is meant to identify the accessibility of the service to handicapped persons:

o Question #2 of the "Applicant's Transportation Experience" (Table I) asks that all existing programs vehicles be identified and that accessibility features be highlighted.

o Questions #3 and #5 of "Applicant's Transportation Experience" ask for a breakdown of trips and unduplicated passengers, respectively, in order to identify the present program committment to serving handicapped persons.

o The "Operating Plan" to be identified in Part IV asks that eligibility requirements be specifically noted.

o Table II of Part IV asks for an estimated number of trips to be made by handicapped persons assuring that 16(b)(2) vehicles were to be awarded.

o Subpart A4 of Part IV asks the applicant to "Describe proposed provision for servicing persons with severe mobility problems, such as those using wheelchairs and walkers. Describe outreach methods to reach such persons."

o Subpart A5 of Part VI asks that handicapped persons have input in planning the proposed service and in evaluating the program once it is in operation.

o Subpart B. of Part VI asks the applicant to identify coordination efforts with other social service agencies serving the elderly and handicapped.

o Subpart D of Part VII requires that the applicant provide Assurance of Nondiscrimination on the Basis of Handicap as identified by the U.S.D.O.T. Code of Regulations.

In general, the application process has been developed to be able to identify the agencies planned committment to serving handicapped persons as well as elderly persons. It is felt that this process provides for a fair and adequate review of an agency's proposed service with respect to participation by handicapped individuals and agencies serving the handicapped.

Program outreach and distribution of Preliminary Applications to agencies serving the handicapped in accomplished primarily through the Interagency Advisory Committee. Each Agency, Commission and Department is noted in Section II. B. 1 of this Plan is notified of the beginning of each annual application process. Organizations under the jurisdiction of each of these state agencies are notified utilizing the information dissemination network of the state agency.

Notification of the beginning of each application process is also distributed to regional planning agencies and regional transit authorities statewide. Dissemination of the material can therefore be done utilizing the public information in their individual Section 504 Transition Plans.

3. Application Selection:

Requests for program assistance are reviewed at two stages in the application process -- following the submission of the Preliminary Application and again following submission of the Final Application. As mentioned above, review of the Preliminary Application is based primarily on program eligibility as defined by Section 16(b)(2) of the Urban Mass Transportation Act by 1964, as amended. All eligible applicant d. receive Final Application forms. Review of the Final Applications is more formal. A criteria sheet has been developed which is used by members of the IAC to rank applications. The following three criteria has been included in the review process to make service accessibility a priority program objective:

> "Operating Plan and Proposed Users. Degree of thought and detail in dispatching and operating plan. Also, look for system design that provides service to the broadest base of elderly and handicapped persons."
>
> "Service Accessibility. Efforts to serve persons with severe mobility problems, particularly those in wheelchairs or walkers."

"Participation. Degree to which elderly and handicapped clientele are involved in the planning and evaluation of services."

A copy of the criteria reveiw form, entitled "16 (b)(2) Application Review Sheet" is provided at Attachment III.

4. Vehicle Specifications:

As mentioned in Section I of this Plan, the EOTC, working through the State Purchasing Agent's Division, coordinates the purchase of all vans and minibuses by private, non-profit recipients. While the contracts and purchase orders for equipment are ultimately in the name of the individual recipients, the vehicle specifications and selection of equipment is the responsibility of the EOTC. Again, it is the policy of the EOTC that all vehicles awarded under the Section 16(b)(2) Program must be equipped with lifts, lowered steps, and raised-roofs.

5. Reporting and Agency Review:

Each selected applicant is required, once service has been initated, to provide the EOTC with monthly reports of service. The first question of the reporting form asks for information on the number of non-ambulatory riders served.

Annually, each recipient is also required to provide certification that equipment is being utilized in accordance with the original approved application.

The monthly reporting form presently utilized is given in Attachment IV.

APPENDIX B

DEPARTMENT OF PUBLIC HEALTH WAIVER OF BUS REGULATORY AUTHORITY

The Commonwealth of Massachusetts
Department of Public Health
600 Washington Street
Boston 02111

Alfred L. Frechette, M.D., M.P.H.
Commissioner

May 28, 1980

Barry M. Locke
Secretary of Transportation
and Construction
One Ashburton Place
Boston, MA 02108

Dear Secretary Locke:

This letter responds to yours of May 23 inquiring as to the possibility of a waiver from our ambulance regulations for buses and other large transit vehicles designed primarily for the transportation of the general public but now being equipped to provide access for the physically handicapped.

I gather that your concern arises from the refusal of the manufacturers of such vehicles to bid because of their inability to comply with our regulations for Class III ambulances and their desire for written assurance that such equipment as they may supply will not be subject to our regulations.

Pursuant to your request, I have reviewed the applicability of our regulations to transit vehicles regulated by the Department of Utilities and devoted to the transportation of the general public. I have concluded that neither the law nor our regulations were intended to cover such vehicles. Support for this interpretation of our regulations is to be found in the definition of "ambulance" incorporated as Section 3.1:

> "Ambulance", means any aircraft, boat, motor vehicle, or any other means of transportation, including a dual purpose vehicle, however named, whether privately or publicly owned, which is intended to be used for, and is maintained and operated for, the transportation of sick, injured or disabled individuals.

When read in the context of the ambulance regulation statute and the remainder of our regulations, this definition appears clearly to exclude vehicles - like buses and other large transit vehicles - used, maintained, and operated for the transportation of the general public. Instead, as used here, in the law, and elsewhere in our regulations, ambulance clearly means a means of transportation devoted to the transportation of the "sick, injured or disabled".

I can therefore assure you that the Department of Public Health will not subject to its licensure review the specifications or operation of buses and other large transit vehicles devoted to the transportation of the general public and regulated by the Department of Public Utilities.

I hope you find this letter fully responsive to your inquiry, but if further questions arise please let me know.

Sincerely yours,

Alfred L. Frechette M.D.

Alfred L. Frechette, M.D., M.P.H.
Commissioner of Public Health

ALF/DY/kmv
cc: Charles Francis Mahoney, Secretary of Human Services
Duncan Yaggy, Assistant Commissioner for Health Regulation
Irene McManus, Director of Health Facility Regulation

APPENDIX C

ELDERLY AND HANDICAPPED VEHICLES - ENERGY POLICY

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION

MEMORANDUM

TO: Jackie Hunt DATE: April 23, 1980

FROM: Marc Cutler

SUBJECT: Elderly and Handicapped Vehicles - Energy Policy

Under the Federal Department of Energy's (DOE) regulation 211.51* vehicles operated for the elderly and handicapped by social service agencies and the like are included in the definition of surface mass transportation. This makes them eligible under Special Rule No. 9 for 100% of current diesel fuel requirements. Since few of these vehicles are diesel-powered, this is not terribly helpful. Under Section 211.103, they are eligible for 100% of base period gasoline usage.+ But this applies to bulk purchases of gasoline who directly receive their fuel from a wholesaler. Again, this is not very helpful, since most of these vehicles purchase gas at retail service stations, and are thus, in practice, indistinguishable from thousands of non-priority users.

This leaves the issue up to the State Energy Office. Under DOE Section 211.10 (d), the State Energy Office may establish preferential treatment for retail purchasers who do not purchase in bulk. The Energy Office is currently attempting to establish policy in this area. At the current time, there are no provisions for priority treatment. The main problem in establishing priority treatment, such as front-of-the line privileges at the gas pump, exlusion from minimum purchase plans etc., is the simple logistics of it. How does one actually get a vehicle to the front of an angry gas line? Complicating matters is the fact that these vehicles have no uniform system of identification or registration.

In summary, most elderly and handicapped vehicles cannot take advantage of federal regulations granting them priority treatment, and the state has yet to decide if and/or how to grant priority treatment.

* Code of Federal Regulations
\+ Base Period = November 1977 - October 1978

APPENDIX D

EXECUTIVE ORDER NO. 143

SAMPLE JOB DESCRIPTIONS

MAR 20 11 13 AM '78

COMMONWEALTH OF MASSACHUSETTS
By His Excellency

Michael S. Dukakis
Governor

EXECUTIVE ORDER NO. 143

EQUAL EMPLOYMENT OPPORTUNITY FOR THE HANDICAPPED

Preamble

The Commonwealth of Massachusetts has long been recognized as a leader in advancing equality of opportunity for all individuals. Our State Constitution, statutes, and recent executive orders such as Executive Order No. 74, 116, the Code of Fair Practices, affirm this overriding commitment.

However, despite these efforts, the handicapped in our society have often suffered from discriminatory employment practices.

Today, our state government breaks new ground in affirming the Commonwealth's strong commitment to extending equal employment opportunity to the handicapped in state service.

In order to meet this obligation, I, Michael S. Dukakis, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution and by the statutes of the Commonwealth, do hereby adopt the following Governor's Order for Equal Employment Opportunity for the Handicapped and hereby order and direct that the said Order be the governing and guiding policy of the Executive branch of the government of the Commonwealth of Massachusetts.

Publication # 11963-9-250-6-80-CR

Article I Declaration of Policy

1.1 Non-discrimination and equal opportunity are the policy of the Executive Department of the Commonwealth of Massachusetts with respect to the employment of the handicapped in state service.

1.2 A handicapped person shall mean any person who:

1) has a physical or mental impairment which substantially limits one or more major life activities;

2) has a record of such an impairment; or

3) is regarded as having such an impairment.

1.3 Unless the person's handicap would prevent such person from performing the particular job, no person who is otherwise qualified shall be denied equal opportunities to obtain and/or maintain employment in state service or to advance in his/her position solely because said person is handicapped.

Furthermore, state contracts shall be held to comply with this policy.

1.4 State agencies shall eliminate pre-employment inquiries or medical examinations as to whether an applicant is handicapped or as to the nature and severity of the handicap, except when necessary to determine the applicant's ability to perform job related functions.

1.5 Each agency and appointing authority of the Commonwealth shall be expected to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified handicapped individual.

1.6 All agencies and appointing authorities of the Commonwealth shall initiate equal employment opportunity programs designed to conform with this policy. All such EEO programs shall be subject to review by the Executive Office of Administration and Finance (Secretary or his/her designee as hereafter provided).

1.7 All powers, functions and duties granted to the Governor and the Secretary of A & F under any provision of law shall also apply to the policy and shall be construed liberally for the accomplishment of the purposes hereof.

Article II Employment Policies of State Agencies

2.1 The Secretary of Administration & Finance shall have overall responsibility for ensuring equal employment opportunities for the handicapped in the Commonwealth.

2.2 The Secretary shall appoint forthwith an Advisory Board which shall consist of the Commissioner of the Massachusetts Rehabilitation Commission, the Commissioner of the Commission for the Blind, the Director of Personnel Administration, the Director of the Office of Affirmative Action, or their designees, and four other persons, who are either handicapped persons in

state service or representatives of handicapped organizations.

2.3 The Secretary, in consultation with the Advisory Board, shall establish appropriate standards and procedures governing the preparation, submission and review of equal employment opportunity programs for the handicapped for all agencies within the Executive Department and shall establish, within thirty days of the promulgation of this order, a uniform grievance procedure to be used by all agencies and appointing authorities subject thereto. Such standards and procedures shall include, without limitation, the following:

2.3.1 The requirement that each secretary of each Executive Office shall appoint a highly placed person, preferably the person serving as the EEO Officer under EO 116, as the EEO Officer for the Handicapped. This person shall supervise the implementation of the Handicapped programs by all agencies and appointing authorities within each executive office, including the secretariat. The Chief Executive of each agency or appointing authority shall appoint an Equal Employment Opportunity Officer, preferably the person serving as EEO Officer under Executive Order 116, as the EEO Officer for the Handicapped. Each EEO Officer shall have the authority to review and pass upon the EEO program within his/her office and, whenever possible, shall be exempt from Civil Service.

2.3.2 The requirement that each agency and appointing authority will implement and utilize the grievance procedure

established pursuant to section 2.3 to hear complaints from applicants and employees based on this policy.

2.3.3 The requirement that each agency and appointing authority will develop a program for implementation of the policy based on the standards and procedures formulated by the Secretary within thirty days of receiving same.

2.3.4 The requirement that, within sixty days of receiving programs promulgated pursuant to the order, the Secretary shall approve or disapprove them.

2.3.5 The requirement that the Secretary, or his/her designee, conduct an ongoing review of the EEO programs for the handicapped to assure that such programs, and the intent of this Executive Order, are being complied with.

2.3.6 The requirement that all agencies and appointing authorities shall promulgate clear, written directions to carry out the approved programs for the handicapped.

2.4 Agencies and appointing authorities shall receive technical assistance in the development and implementation of their programs by the Massachusetts Rehabilitation Commission and Massachusetts Commission for the Blind.

2.5 The Division of Personnel Administration shall employ systematic efforts to ensure that the procedure for appointing persons to state services is based on an applicant's actual ability to discharge the duties of the position for which the

person seeks employment and not based on preconceptions of a person's handicap.

2.6 Each agency and appointing authority shall report, on a quarterly basis, through the appropriate Secretary, to the Secretary on actions taken during the preceding three months and shall submit an annual report by July 30 of each year. Notwithstanding the foregoing, the Secretary, his/her designee, may at any time request and shall receive such information as is deemed appropriate for your purposes of monitoring compliance.

2.7 The Director of the Office of Affirmative Action shall serve as the Secretary's designee in carrying out his/her responsibilities under this order. As part of the Director's responsibilities, he/she shall be responsible for the review of all appeals from the grievance procedure. Furthermore, the Director shall work directly with all agencies and secretariats in ensuring the proper implementation of all equal employment programs for the handicapped. In order for the Director to monitor the implementation of these programs, all Equal Employment Officers shall be required to submit information to the Director and to such other persons as the Director may designate. Such Equal Employment Officer shall report to the Director any problems that they experience in administering the programs within their offices. In addition, the Director shall have any additional powers that are necessary

to carry out the Commonwealth's policy of nondiscrimination and equal employment opportunity for the handicapped.

2.8 The Office of Affirmative Action shall report instances of non-compliance with an approved EEO plan for the handicapped to the Secretary. Any finding, after a hearing by the Secretary, his/her designee, of deliberate failure or refusal to implement such plan shall constitute cause for dismissal and shall be reported through the appropriate secretary to such person's appointing authority for appropriate disciplinary action. If a Secretary is found to be out of compliance, the report shall be made to the Governor.

2.9 The hearings required in paragraph 2.8 of this Article shall be conducted by a hearing panel, consisting of not less than three members of the Advisory Board. The panel will be called the Equal Employment Panel for the Handicapped, and shall have authority to impose sanctions on persons, where appropriate. To act as staff for the Panel, the Secretary, his/her designee, shall appoint the person serving as Panel Director under the Executive Order 116, as Panel Director for the Handicapped.

Article III State Services and Facilities

3.1 All service of every state agency shall be performed without discrimination based on handicap. No state facility shall be used in furtherance of any discriminatory pattern or practice nor shall any state agency become a party to any

agreement, arrangement or plan which has the effect of sanctioning such patterns or practices.

3.2 Each agency shall prepare a self-evaluation by June 2, 1978 pursuant to Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, as amended, and shall instigate sustained, comprehensive programs to remedy any defects found to exist. This self-evaluation shall thereafter be performed on an annual basis as part of the agency's annual report.

Article IV Contracts

4.1 Every state or state-assisted contract for public buildings and public works or for goods or services shall contain an article prohibiting discriminatory employment practices by contracts, subcontracts and suppliers of goods or services based on handicap. The nondiscrimination article shall include a provision requiring contractors and suppliers of goods or services to give written notice of their commitments under this article to any labor union, association or brotherhood with which they have a collective bargaining or other agreement.

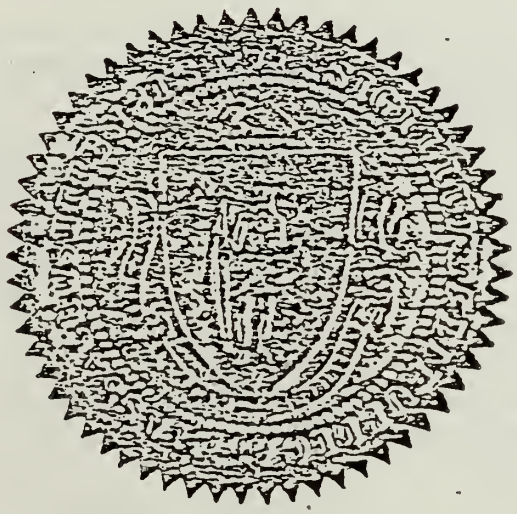
Article V State Employment Services

5.1 All state agencies including educational institutions which provide employment referral or placement services to public or private employers shall refuse to fill any job order which has the effect of excluding handicapped persons unless the job related requirements are such that even with reasonable accommodation said requirements preclude a handicapped person from performing the necessary

functions of the position, as determined by the Division of Personnel Administration under Article 2.5.

Article VI State Forms

All state agencies shall exclude from forms or request for information any item or inquiry expressing any limitation or specification as to handicap except for pre-employment inquiry into an applicant's ability to perform job-related functions.



Paul Guzzi

Paul H. Guzzi
Secretary of the Commonwealth

Given at the Executive Chamber in Boston this 31st day of March in the year of our Lord one thousand nine hundred and seventy-eight and of the Independence of the United States of America, two hundred and one.

Michael S. Dukakis, Governor
Commonwealth of Massachusetts

PERSONNEL REFERRAL JOB ORDER

The Commonwealth of Massachusetts
Division of Personnel Administration

(Filled by appointing authorities when hiring personnel subject to Administrative Bulletin no. 75-13)

DATE: July 8, 1977

JOB TITLE: ASSOCIATE PLANNER

REQUISITION NO. (FROM FORM 19)

JOB DESCRIPTION (SEE INSTRUCTIONS ON REVERSE SIDE)

Liaison person between the Executive Office of Transportation and the Executive Office of Human Services in the implementation of a State Management Assistance grant entitled "Coordination of Transportation Services for the Elderly and Handicapped." Plan and develop for implementing alternative transportation service design models for two regional transit authority areas in the state. Advise the Secretaries of EOTC and EOHS on transportation program implementation and broader policy issues with regard to the implementation of coordinated transportation services statewide.

QUALIFICATIONS (SEE INSTRUCTIONS ON REVERSE SIDE)

Bachelor's Degree. Experience in transportation planning and implementation with focus on elderly and handicapped systems design. Ability to analyze and interpret data. Strong communication skills-able to interact effectively with individuals and groups as well as make public presentations when necessary.

CTP POSITION

AGENCY NAME:
Executive Office of Trasnportation and Construction

AGENCY ADDRESS:
1 Ashburton Place, Room 1610, Boston, Massachusetts 02108

NAME AND LOCATION OF EMPLOYMENT SITE IF DIFFERENT FROM ABOVE:
Executive Office of Human Services, State House, Room 109, Boston, MA 02108

$	HOURS PER WEEK
329.10	37.5

Check appropriate box: ☐ CIVIL SERVICE PROVISIONAL APPOINTMENT
☒ NON-CIVIL SERVICE POSITION

PERSON TO CONTACT: Karla Karash

PHONE NUMBER: 727-2372

Position Affirmative Action assistance?

☐ NO ☒ YES -- ☐ WOMEN ☐ SPANISH ☐ BLACK ☐ OTHER

Signature of Secretary or Designee: John R. Kerfoot

Rev. 11/75

The Commonwealth of Massachusetts
Executive Office of Transportation & Construction
One Ashburton Place
Boston, Massachusetts 02108

BARRY M. LOCKE
SECRETARY

October 1, 1979

SPECIAL COUNSEL TO THE SECRETARY
EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION

JOB DESCRIPTION

Serve as an attorney in the Executive Office concentrating primarily in the area of rail transportation legal matters, while also working in other areas of the office as well (involving air, highways and Tort Claims Act). Rail legal work will involve participation in negotiations and preparation of materials for acquisition of rail rights-of-way and facilities; preparation of contracts for operation of rail freight and passenger services, and rehabilitation of rights-of-way; legislative and regulatory drafting and review, both state and federal; and periodic representation of special interests of the Commonwealth in selected railroad bankruptcy and Interstate Commerce Commission proceedings. In addition, the counsel will assist in the development of policies and programs in rail and other areas of concern to the Executive Office. Will work with the Attorney General's office in representing the Commonwealth in litigation affecting the Secretary. Report to General Counsel. Work extensively with Assistant Secretary of Transportation for the Commonwealth's rail program. Salary - $18-19,000.

GENERAL QUALIFICATIONS

Law School graduate.
Member of bar, Commonwealth of Massachusetts and Federal District Court, D. Massachusetts (Presently or application pending).
Administrative law course of appropriate experience.
Experience in transportation legal matters and knowledge of rail operations and terminology desirable but not required.
Interest in public service career and willingness to make substantial time commitment to position as professional in the Executive Office.
Ability to communicate with public.

Assurance Concerning Nondiscrimination on the Basis of Handicap in Federally-Assisted Programs and Activities Receiving or Benefitting from Federal Financial Assistance

(Department of Transportation)

Executive Office of Construction & Transportation, (the "Recipient") AGREES
(Name of Applicant)

THAT, as a condition to the approval or extension of any Federal financial assistance from the United States Department of Transportation to construct any facility, or to participate in or obtain any benefit from any program administered by the Department, to which the Department's regulation set forth in Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 27--"Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting from Federal Financial Assistance" (the "Regulation") applies, no otherwise qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance administered by the Department of Transportation, including the Urban Mass Transportation Administration, and GIVES ASSURANCE that it will conduct any program or operate any facility so assisted in compliance with all of the requirements imposed by the Regulation, or any directive issued pursuant to that Regulation.

July 26, 1979
DATE

Commonwealth of Massachusetts
Executive Office of Construction & Transportation
Legal Name of Applicant

By: [signature]
Signature of Authorized Official

STENOGRAPHIC RECORD

VOLUME I
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EXHIBITS None

COMMONWEALTH OF MASSACHUSETTS

- -

In the Matter of)
Program Evaluation and Planning)
to Ensure Non-discrimination on the)
Basis of Handicap in Section 16(b)(2) Services)
in Massachusetts)
Section 504 Transition Plan)

- -

BEFORE: Russell Thatcher, Chairman
Executive Office of Transportation

Executive Office of Transportation
One Ashburton Place
Boston, Massachusetts
Monday, June 30, 1980
1:00 o'clock p.m.

Burt Reporting Associates
SEVEN WATER STREET BOSTON, MASSACHUSETTS 02109
TELEPHONE 617 523 3210

CHAIRMAN THATCHER: Good afternoon. I'd like to open the public hearing and welcome everyone here. We are having a verbatim transcript of the public hearing provided as required by UMTA. So, if anyone has any questions, please first identify yourself to go on record.

You all have a copy of the plan entitled "Program Evaluation and Planning to Ensure Non-discrimination on the Basis of Handicap in Section 16(b)(2) Services in Massachusetts".

I'd like to do two things before we move to the plan itself. First is to give a little background information on the Section 504 regulations which mandate that such a plan be drawn up. Second, to give a little background information on the Section 16(b)(2) program.

First, Section 504 is Section 504 of the Rehabilitation Act of 1973, which requires non-discrimination on the basis of handicap in federally-funded programs.

On May 31, 1979, the Department of Transportation, in response to this national act, promulgated guidelines for Department of Transportation services and programs to be in compliance with

Section 504 requirements.

The guidelines that the Department of Transportation issued have many areas. I want to highlight just three or four of the main aspects of 504.

For paratransit services, which we'll be concerned with mostly for 16(b)(2) programs, there's a requirement that physical vehicle accessability, in other words, special features on vans or minibuses to provide services to handicap, be in a sufficient number to allow the paratransit services to provide equal access to handicapped persons as to to non-handicapped persons. Physical accessibility, therefore, being the first aspect of the regulations.

Another important aspect of the regulation requires that all program policies and procedures, practices, be non-discriminatory on the basis of handicap. These would include the actual service policies, driver training, marketing considerations. A very important part of policies and practices would be employment policies and practices; and there are several others, such as planning practices, leasing, rental and procurement

practices, and so on.

In addition to physical accessibility of the vehicle and policies and practices, there's also a need for each program to provide accessibility of fixed facilities, both at a dispatching center, scheduling center, and any administrative offices that the program has.

In general, when you look at a federally-funded program like 16(b)(2), the entire service should be seen as being non-discriminatory.

The Section 504 regulations ask that each agency in conjunction with interested, local interested persons, including handicapped persons, review the program offered to determine whether it is in compliance with the regulations, what modifications are needed, and to draw up a plan or identify planned actions for making the program accessible by July 2, 1982, for all paratransit services July 2, 1982, is the deadline by which the program must be completely accessible.

I next want to provide a little information on the 16(b)(2) program. 16(b)(2) is Section 16(b)(2) of the Urban Mass Transportation Act of 1964 as amended. It provides capital assistance

to private, non-profit organizations for the provision of transportation to elderly and handicapped persons.

The section provides 80 percent of the total cost of any vehicles or related equipment, such as lifts or raised roofs, to the private non-profit; and the agency must raise the additional 20 percent as local match.

The money is made available directly from the Urban Mass Transportation Administration, which is the federal agency; and the program is administered at the state level by the Executive Office of Transportation. We're now in our fifth year of 16(b)(2) funding; and to date we have awarded or delivered to 53 separate private non-profit agencies.

Are there any questions on the two background pieces of information on Section 504, 16(b)(2)?

(No response.)

CHAIRMAN THATCHER: In terms of the actual planning document that you have, the Executive Office of Transportation developed one state-wide transportation plan for all of the 16(b)(2) agencies required to meet the Section 504 guidelines. This

was done to decrease the total burden of the planning process on each individual private non-profit agency. At some time each private non-profit agency was asked to develop the citizen participation and the local input aspect of the transition plan.

The Office of Transportation then incorporated each of the reviews done locally by the agency into one state-wide plan to be submitted to UMTA.

Although we've awarded vehicles to 53 separate agencies, only 30 agencies actually fall within the Section 504 requirements. All agencies that received or applied for vehicles after July 1, 1979, or any vehicles planned to be delivered after that deadline, were included in the plan. That counted all third-round and fourth-round recipients of the program. First-round and second-round recipients had vehicles delivered in 1976 and 1978 respectively, so they were not included in the planning process.

I'd like to go through each section of the plan and provide a summary of the entire document and then move to each individual agency, just highlighting the elements where programs were not in

compliance and the plan developed locally for making each program in compliance.

The first section of the plan simply explains the 16(b)(2) program in Massachusetts; and it notes that 31 -- I'm sorry, I should correct myself from the prior information. Thirty-one agencies are included in the plan.

The second section identifies the 16(b)(2) program as it exists in Massachusetts and provides inventory of all agencies and vehicles that are to be examined. One agency is included from the second round, that being because it is receiving two vehicles this year as a supplemental grant from contingency funding from the second round.

There are a total of 13 agencies included from the third round and 19 agencies included from the fourth round.

Also in this section it is pointed out that the 16(b)(2) program in Massachusetts has taken the policy that all vehicles to be delivered from the second round of the program are to be physically accessible to the handicapped: That is, they are to have lifts, raised roofs, lowered front

steps, and interior features that provide for greater accessibility and mobility inside the vehicle.

Attachment 1 is identified in the first section of the plan; and Attachment 1 is a copy of the specifications that are used by the Executive Office of Transportation in bidding vehicles for private non-profit agencies. While each agency has an individual award from UMTA, the bidding of vehicles is done collectively by the state; so these specifications presented in Attachment 1 will be those and are those that are used for all vehicles purchased under the 16(b)(2) program.

In those specifications you will find specific language on lift equipment, lowered front steps, padded stanchions and other features that are needed to make the vehicles accessible.

The very end of the second part of the plan, Pages 5 through 19, provide a vehicle chart for each agency that shows how many vehicles are presently in operation, how many vehicles are planned for delivery under the 16(b)(2) program in the third round, in which delivery will take place in

1980, in July and August of 1980, and finally vehicles planned for delivery under the fourth round, which will happen in early 1981.

On top of the chart are program years. For each program year a total is calculated of inaccessible yehicles indicated by a capital "I" and accessible vehicles. For example, the figure "1" for the Age Center of Worcester identifies that presently, in 1979, there were three inaccessible vehicles in the program and no accessible vehicles. That will not change in 1980; but two vehicles are planned for delivery to the agency under the fourth round of the program in early 1981. One of those vehicles that's presently in operation will be retired from service, thereby reducing present vehicles in operation from three to two; and with the two accessible vehicles the agency will be operating a total of four vans, two of which will be accessible.

For each agency it was felt that there was a proper ratio of accessible vehicles planned by 1982 to inaccessible vehicles to allow for equal access to the service by handicapped and non-handicapped persons.

After the individual agency vehicle

charts, starting on Page 20, there's a brief summary of the administrative policies and procedures used by the Executive Office of Transportation and Construction in administering the program for UMTA. It is noted first that there is an Interagency Advisory Committee to the Office of Transportation which comments and reviews all policies and practices of the program. That advisory committee is made up of a representative of each of the state offices or agencies that work with the elderly or handicapped or have something to do with transportation.

The first policy in practice that's identified is public information; and program requirements noted in public information. That has to do with fact sheets that our office sends out to interested persons to make people aware of the 16(b)(2) program. There are four points -- I'm sorry -- seven points noted in our public information that identify that handicapped persons are to be included in the 16(b)(2) program.

The second policy and practice that's identified is the application process. The Executive Office of Transportation and Construction holds an annual application process for the 16(b)(2)

program; and there are two aspects to that application process: First, a preliminary application, and second a final application. The points noted under this section on application process identify specific statements in both preliminary and the final application material that requires participation of handicapped persons in the program.

The third policy and practice is the selection of applications. Selection of applications is done through ranking of agencies applying on the basis of certain criteria that the Advisory Committee has set up.

Identified in this section on application selection are three criteria in particular that have to do with participation of handicapped persons in the program and non-discrimination on the basis of handicap. The first, operating plan, is a criteria that looks for the broadest base of both elderly and handicapped persons to be involved in the service. There's a criteria on service accessibility and efforts made to serve persons with severe mobility programs, particularly persons in wheelchairs or using walkers. That criteria identifies a policy of the program, that with accessible

equipment, with the equipment provided on the vehicles, that service to handicapped persons is a high priority of the 16(b)(2) program.

Finally, a third criteria that is used is participation of elderly and handicapped clientele and the actual planning and evaluation of the 16(b)(2) service.

As noted previously, vehicle specifications are developed by the state and do include accessible equipment such as lifts, lowered front steps, and raised roofs, wheelchair restraint systems, to make all vehicles purchased under the program accessible.

Finally, a fifth policy and practice that is included is recording an agency review. In Appendix 4, Attachment 4, there is a copy of the monthly reporting form that we've recently revised and that's being used. It identifies the service provided by the agency and particular categories of clientele. That includes elderly, elderly handicapped, and non-elderly handicapped persons receiving service.

Now, beginning on Page 24 of the plan there's a review of the transition planning process

for the 16(b)(2) program. On Page 25 is a brief summary of the dates and actions for developing this plan.

Basically it is one state-wide plan, but each individual agency has been asked to develop citizen participation and local input in reviewing their own policies and practices. In April a standard format was sent to each -- a three-page questionnaire on assurance was sent to each of the 31, 16(b)(2) recipients; and in May and June those were completed with input of local interested persons, including handicapped persons.

In May and June, as the questionnaire assurances were being returned, the Executive Office of Transportation put those together into this final transportation plan that you see. The plan will be submitted to UMTA on July 1, which is tomorrow.

The most important part of the plan, the actual plan itself, is the agency evaluation form, the three-page assurance questionnaire. On Page 24 and 26 there's a brief review of the form itself. There are six major sections of the review form that was sent to agencies. The first

has to do with vehicle accessibility, asking the agency to report the number of vehicles accessible in their fleet and the total number of vehicles in their fleet.

A second portion of the form asks for exact number of trips to be provided to identify whether the service plan will include handicapped persons and be accessible to the handicapped.

The third part of the form asks the agency to develop and identify any actions needed to make their policies and practices in compliance with 504 and non-discriminatory on the basis of handicap. This involves working with local interested persons and handicapped persons to review all of the policies and practices of the agency presently; and there is a checklist provided in the form that identifies certain policies and practices that should definitely be reviewed by the agency.

A fourth part of the form asks about fixed facility accessibility, both administrative offices and dispatching centers.

A fifth part requires the agency to look at employment and personnel policies and practices; and finally, the agency is asked to

designate representatives to be responsible for overall program compliance; and for larger agencies, a person to be responsible for compliance related to employment activities.

Now, I'd like to go through -- Are there any questions at this point on the planning process itself before we get into each individual agency's return of the assurance questionnaire form?

(No response.)

CHAIRMAN THATCHER: This begins on Page 27; and there are four things to note before we review each of the individual agency plans.

First, one of the recipients, original recipients of the program, Community and Regional Opportunity Program, has had responsibility for its programs transferred to a new agency: Valley Opportunity and Counseling, Incorporated. A plan is presently being developed by Valley Opportunity and Counseling, Incorporated. They began that process in June. A letter did not go to UMTA about transferring the award until recently; and their review and questionnaire assurance form will become an up-date of this state-wide plan once it is completed.

Similar to that situation, another recipient under the third round of the program, People's Alternatives for Community Environment, would like to transfer its vehicle to a new agency in the preliminary area by the name of Associates for Community Living, Inc. So, the form for People's Alternative for Community Environment has been completed and is included in this plan under the name of Associates for Community Living, anticipating that that award will be transferred by UMTA.

The third note is that two agencies have applied for and received an award jointly under the 16(b)(2) program. These are United Cerebral Palsy Association of the North Shore and North Shore Elder Services. So there is one form included in the plan for both agencies that was completed jointly.

Finally, one of the agencies in the fourth round of the program, Elder Services of Cape Cod and the Islands, has not received a formal award approval from UMTA; and completion of the 504 assurance questionnaire form will be done once a revised and acceptable operating plan has been developed by that agency and accepted by UMTA. It

was felt that it would be premature to do that with the approval of the agency still pending.

Okay. There are then a total of about 26 agency returns. I won't go through each question on the return. I'd just like to identify for each agency areas which were felt to be not in compliance with 504 requirements and any planned actions. On each form Question No. 1, vehicle fleet accessibility, simply provides the same information that was provided earlier on the vehicle charts showing how many vehicles were in the fleet and how many of those were accessible.

For each agency I'd like to just highlight the second page, No. 3, which is fixed facility accessibility, personnel policies and procedures, and then go to the policies and practices checklist. The first agency, Age Center of Worcester, indicated that their fixed facilities are accessible and their personnel policies and practices do identify non-discrimination on the basis of handicap.

All of the policies and practices listed on the checklist were also felt to be in compliance by Age Center of Worcester.

The next agency, and these might be a

little confusing because they're back to back and there isn't any real explanation, the next agency is Bristol County Home Care for Elderly, Inc., their fixed facilities are presently accessible; personnel policies and practices do specify non-discrimination on the basis of handicap. And on the checklist of operating policies and practices, there were two notes. First, under service eligibility, they did note that one modification was needed; and that would be to identify color-related problems as a handicap and provide service to those who have color-related problems. Under marketing considerations they identified some additional efforts that they felt were needed to make persons aware of their program in their area.

The third one of these probably is most appropriate for allowing the handicapped in the area to learn of the program; and that is marketing of the service through other agencies.

The third agency now is Chelsea, Revere, Winthrop Transportation. It is probably easiest to identify the agency by the second page where there's the signature.

Fixed facilities, it was noted by Chelsea,

Revere, Winthrop Transportation, that a ramp is needed at the front entrance as well as a rail at the stairway to make the facility accessible. It was also noted that they're currently revising their personnel policies and procedures to include a statement of non-discrimination on the basis of handicap. On the checklist of policies and practices, they do plan to institute sensitivity and safety training as of July, 1980, as part of their program.

Under marketing considerations, probably more appropriate for eligibility requirements but identified down there under marketing considerations is the fact that they're presently seeking funding to provide service to handicap persons under 60. The problem here being that the funding available to them presently through the Department of Elder Affairs is for those persons 60 and older.

MS. SNYDER: Mary Snyder, Central Transportation planning staff. Is a contract with Mass. Rehab an adequate kind of marketing? Shouldn't they also be advertising or they should let the community, both elderly and handicapped, know the availability of the service? Or is that

just in the wrong place?

CHAIRMAN THATCHER: They identified a service problem under marketing considerations. This should probably be under eligibility requirements.

MS. SNYDER: Okay.

CHAIRMAN THATCHER: But that wouldn't be adequate marketing.

Under plan practices they also note that they are actively seeking handicapped individuals to serve on their Board of Directors and on their Advisory Committee, which is the two bodies that are responsible for marketing.

The next agency is the Community Action of Haverhill; and they identified that both their fixed facilities and their personnel policies and practices are presently accessible and non-discriminatory.

Under policies and practices, they identify that their present funding source, their single funding source, is limited to elderly, 60 years of age and older; but they do plan to market, publicize, and seek funding for handicapped elderly and non-elderly handicapped.

For both safety and emergency policies

and sensitive and safety training they note that they have special policies presently, but that those will be needed to be written up to be in compliance with the 504 requirements.

If there are any questions on each agency, any agency as we go along, please feel free to ask.

The next agency is Council of Elders, Inc. They note under fixed facilities that their present administrative offices are to be replaced by a fully accessible multi-purpose senior center, even though their present dispatching office is accessible. Their new office will be accessible as well.

Personnel policies and procedures are in compliance. Under policies and practices, they note in marketing considerations that they are presently investigating cooperative arrangements with other association and health agency services.

Cushing Hospital Auxiliary indicated that its review showed fixed facilities, personnel policies, and other operating policies and practices to be in compliance.

Eunice Kennedy Shriver Center, which

is the next agency, indicated that its services is focused entirely on servicing handicapped persons. They noted under services and accessibility that all of the 50 one-way trips to be provided would be provided to handicapped persons. Their fixed facilities and personnel policies and procedures are presently in compliance. The one operating policy and practice that they identified a short-coming in was in sensitivity training. They noted that that would be in compliance by the July 2, 1982, deadline. In fact, for the 16(b)(2) program that would have to be in compliance earlier, when vehicles are delivered to the agency.

The next service is Federated Dorchester Neighborhood Houses. They noted that they will be ramping the stairway to the office to make their fixed facility accessible. Their personnel policy and procedures are presently in compliance. They are planning two activities to make their present operating policies and practices in compliance. The first is to develop a safety and emergency policy and plan for their out-station programs, which I take to mean as not their central facility; and that will be developed and implemented in

October of 1980. They also plan more marketing efforts and out-reach efforts by the beginning of 1980 to identify and market the services to handicapped persons.

The next agency to respond was Friends of Marlborough Seniors. They will or have moved to a new building as of the first of June, and that building is accessible to the handicapped. Their personnel policies and procedures are presently in compliance. They note under policies and practices, under the checklist, that the drivers will be trained upon delivery of the 16(b)(2) vehicles, although that policy is not in effect presently; and that they will try to provide an escort if necessary for handicapped persons.

Under service eligibility requirements they do note again their new facility; but I don't believe that that is actually appropriate for the service eligibility requirements.

The next agency is Gardner Community Action Community. They do note that their fixed facility, personnel policies and their operating policies and practices were found to be in compliance with Section 504 presently.

They include, as a separate attachment, a listing of all of the policies, operating policies and practices, identifying what aspects of those policies and practices are non-discriminatory and which do provide for specific consideration for handicapped persons.

The next agency is Greater Lynn Senior Services. Their present fixed facility is not accessible, but they note that they're in the process of seeking another location which will be accessible. Their personnel policies and procedures do specify non-discrimination. Under operating policies and practices they identify that they are seeking additional local funding to provide service to non-elderly handicapped persons. Their present funding is limiting them to providing service to persons 60 and older. They note that once their fixed facility is accessible, that their hiring policies will be in compliance. Otherwise, they were in compliance with 504.

The next agency is Hampton County Association for the Retarded, Inc. Both their fixed facility and personnel policies and procedures are in compliance; and under operating policies and

practices they identify that marketing considerations are in process presently; but that actual plans for marketing have not been instituted to date.

The next agency is Hilltown Transportation. Under fixed facility accessibility, I don't know if it is legible, they did check that it was accessible, and then they also checked that it was not accessible. It was explained that dispatching is presently done utilizing volunteers. The only administrative offices or dispatching offices that the agency has would be the private homes of the volunteers. So that one might be open for review and interpretation by UMTA in terms of compliance with 504.

Personnel policies and procedures are in compliance. It again is not legible, but on the summary and review sheet for operating policies and practices the program was found in its review to be in compliance in all aspects.

Island Council on Aging, Incorporated, is the next agency. There's an interesting note under fixed facility accessibility; and that is that all dispatching is presently done by phone, which I think they mean to indicate that there is no primary

service provided at the dispatching facility, and, therefore, accessibility of the dispatching facility is not necessary. They do note that there are plans being made to provide a ramp at the front entrance in the administrative building.

MS. SNYDER: I guess I'm having trouble with dispatching by phone. It is obviously by phone. It would seem to me that you would be discriminating against the handicapped person as a dispatcher if you didn't make a place where he does the dispatching accessible.

CHAIRMAN THATCHER: Yes, that would be discriminatory in employment practices, if your dispatching facility were not accessible.

MS. SNYDER: I don't know which category it fits under; but it sounds strange.

CHAIRMAN THATCHER: Okay. That does raise the question, too, of using a telephone as the primary source of service, whether that would be discriminatory to deaf persons. I think for the 16(b)(2) program, where we're dealing with small agencies, the way that I've rationalized that is that service could be requested by an agency on behalf of handicapped persons who could not use the

phone, or through a friend or relative. I don't see expensive equipment, hooking up equipment for telephones, as a possibility for 16(b)(2), even though that would be the ultimate in terms of non-discrimination on the basis of handicap.

There are several aspects of the regulations that need consideration for the 16(b)(2) program because we are dealing with smaller transit operators, not services as large as transit authorities. But that will be up to UMTA's interpretation on that.

Back to Island Councils on Aging, Incorporated, they did identify that under operating policies and practices they are presently in compliance.

The next agency is provided as a loose hand-out in the plan. This was received after the plan went to printing. It is a return from Lutheran Services Association of New England: They do identify that their fixed facilities, personnel policies and procedures are presently in compliance. On the checklist of operating policies and practices they note that there are no policies presently in effect for the agency and that any policies and

practices would be developed in compliance with 504. They're a new agency. They will be receiving a vehicle to begin service this summer. They're not presently operating any transportation services.

The next agency is Minuteman Home Care Corporation. There are several attachments provided by the agency. They note that they feel their fixed facility is presently accessible. They mention a small curb at the driveway; but that in general they feel that the facility is accessible. Their personnel policies and procedures do specify non-discrimination. I'm going to have to refer to all of the different attachments provided for review of the present operating policies and practices. Mainly, the attachments, without going through each one, I will let you review them if you're interested. I'll allow a little time. They identify what the policies and practices are presently. Why don't I take just a few minutes to let you review those to see if you have any questions.

(Short pause.)

CHAIRMAN THATCHER: The return of Minuteman Home Care does provide a good review of a well-done agency evaluation. There is an attachment

that lists the persons involved in the reviewing policies and practices; a memo that went out requesting local input into the planning process; and just about all of the applicable policies and procedures are included as attachments.

I'd like to go to the next agency, which is Mt. Grace Regional Transportation Corporation. Under fixed facility accessibility it is noted that the office is presently located on the second and third floor of a building; but they feel that they achieve accessibility by having trained personnel in the office and a stair chair available at the office to allow handicapped persons to get to their dispatching and administrative facilities for employment purposes. Personnel policies and procedures are presently in compliance, as well as the checklist of all the operating policies and practices.

Nantucket Center for Elder Affairs, Inc., is the next agency. They indicated compliance in terms of fixed facility and personnel policies and procedures. Under the checklist of operating policies and practices, they identify, for both safety and emergency policies and practices and

sensitivity and safety training, that they have arranged with an agency on the Cape to provide sensitivity training, first-aid and CPR training for all of their personnel, which would bring them into compliance in those two areas. All other aspects of operating policies and practices were found to be in compliance.

The National Center for Black Aged elderly services is the next agency. They indicated that their fixed facility, as well as their personnel policies and procedures and operating policies and procedures, were presently in compliance.

They did also provide attachments for leasing, rental and procurement and hiring policies, and eligibility requirements for use of the service.

The next agency is an Associates for Community Living, which completed the assurance questionnaire for the original applicant and the original recipient, People's Alternatives for Community Environments. They are presently requesting that the award be transferred to Associates for Community Living. Fixed facility accessibility was not checked in the original return. That should indicate accessibility, however. And the personnel

policies and procedures is presently in compliance. As can be seen on the checklist of operating policies and practices, again this is a new agency; and they will be developing policies and procedures for the service in all of those areas; and those will be developed to be in compliance with Section 504.

The next agency is St. Francis Home. They indicate that fixed facility accessibility is achieved presently and that they will add a clause to their personnel policies and procedures to identify non-discrimination on the basis of handicap as part of those policies and procedures. They indicate under operating policies and practices that when the vehicle is delivered and the driver is hired, that they will have all appropriate sensitivity and safety training courses.

For the 16(b)(2) program, I should probably note, too, that first-aid, CPR, and sensitivity training is a requirement of the program, which would be a reason why most of the agencies either indicate present compliance or compliance when vehicles are delivered through the 16(b)(2) program.

MS. SNYDER: Marketing consideration

sounds a little ---

CHAIRMAN THATCHER: Okay. The service, they're identified in here that the service is a client's specific service and that marketing will be done to their clientele, so that outside marketing will not be necessary.

MS. SNYDER: That doesn't meet 16(b)(2) requirements, does it?

CHAIRMAN THATCHER: Right. I will have to get back to this agency. I feel though that there's a distinction between the 16(b)(2) requirements for service to the general handicapped population and the 504 requirements which say that there cannot be discrimination solely on the basis of handicap. Funding issues, if an agency is funded to provide transportation only to its clientele, that would be discrimination on the terms of funding source, not solely on the basis of handicap. But that would be in violation of the 16(b)(2) aspects; so there's two aspects of this. Does that answer your question?

MS. SNYDER: Yes, it does. Thank you very much.

CHAIRMAN THATCHER: The next agency is

South Central Massachusetts Elderbus. I can't help but note that you probably won't be able to read the writing. He's a doctor. They indicate that the dispatching offices that presently are not accessible, will be, he uses the word "eliminated". He will be consolidating his services to accessible offices. Personnel policies and procedures are in compliance presently; and in safety and emergency policies and practices, sensitivity training, and accommodations for aid of handicapped persons, there are planned actions to provide that training, sensitivity and safety training. He identifies under accommodations for companions for aides of handicapped persons, that it is a rule of the organization that they can provide an aide in most cases.

Southwest Boston Senior Services is the next agency. They indicate that both fixed facilities and personnel policies are presently in compliance. On the checklist of operating policies and practices they have listed under "other" the hours of operation. They did note that in their review they had one question arise as to the length of the day when service was available. It is available presently only until 4:00 p.m.; and that

they will be looking at additional services, staggered hours and so forth, to experiment with expanding the operating day. Otherwise, their review found them in compliance.

The next agency is United Cerebral Palsy of Western Massachusetts, which indicated that both fixed facilities and personnel policies and practices are presently in compliance. Safety and emergency policies and practices will be developed and will be instituted upon receipt of the 16(b)(2) vehicles which will be this summer, early August. Under sensitivity and safety training, the program will be in compliance once it is certified by the Department of Public Health. That's what DPH stands for. Hiring policies and job descriptions are presently under review by the Board, but if approved would be in compliance. And planning practices are presently being developed to be reviewed by their Board of Directors and their Client Committee.

The next agency is Transporting the Handicapped and Elderly in Massachusetts, Inc. Both their fixed facilities and their personnel policies and procedures are accessible and in

compliance. All aspects of operating policies and practices were found to be in compliance. They do note on the checklist that they do not presently lease, rent, or rent equipment; so that should really indicate a not applicable under that particular operating practice.

The next return is the joint return of both United Cerebral Palsy Association of the North Shore and North Shore Elder Services: These two agencies were given a joint 16(b)(2) grant. They will be operating a service together. Both of their fixed facilities and both of their personnel policies and procedures are accessible and in compliance. They note on the checklist of operating policies and practices that they will comply with Section 504. Again, this indicates that it is a new service. These policies and practices have not been identified and developed, but that they will be developed when vehicles are delivered to the program.

We're getting near the end. West Suburban Elder Services is the last agency. They indicate that fixed facilities as well as personnel policies and procedures are accessible and in compliance; and that all operating policies and

practices are in compliance.

That concludes a brief review of each of the agencies. There was one agency which mailed its assurance questionnaire form the end of last week. It was not in the mail this morning. So I called them and copied onto a blank form their return. I'd like to just read it so that it is included in the public hearing.

Under vehicle fleet accessibility, they identify that they have planned a service using eight vehicles; and that of those, five vehicles will be accessible. The program is Far-Fetched Transportation, Inc., this is in the Cape Ann area. Five of the eight vehicles planned for service will be accessible. Under service accessibility, identifying the number of one-way trips for handicapped and non-handicapped persons, they identify a minimum of 45 one-way trips for the handicapped and 95 to 100 one-way trips as their total service. Their present fixed facility is identified as not being in compliance, but they are looking for a new office location and will be in compliance by July 2, 1982. They indicate that personnel policies and procedures do presently

include a statement specifying non-discrimination. Under the checklist of operating policies and practices, safety and emergency, sensitivity and safety training, will be instituted on delivery of 16(b)(2) equipment. They indicate a not-applicable for leasing, rental, and procurement, and planning practices.

The final thing that I'd like to bring before the public hearing is in addition to each of these assurances and questionnaires, each agency has given an assurance, a formal assurance, of non-discrimination on the basis of handicap. That's provided in Attachment 5. All third-round agency assurances are included as Attachment 5. The assurance will be requested and received from each agency prior to delivery of equipment. Fourth-round agencies will be asked to provide assurance at the time that they sign a contract with the Executive Office of Transportation and prior to the delivery of their equipment in early 1981. In future rounds of the 16(b)(2) program, an assurance of compliance with Section 504 for non-discrimination on the basis of handicap will be part of the final application and will be received at the time that an

agency applies for funding.

That concludes a review of the entire transition plan. I'd just like to ask anyone if there are any questions about 504, 16(b)(2), or any of the individual agencies included in the transition plan. Any questions in general?

MS. FRIED: Ruth Fried, Greater Lynn Senior Services. How long do you estimate the life of the 16(b)(2) vehicle?

CHAIRMAN THATCHER: UMTA presently defines the expected life of a van as five years. Any equipment over $30,000 in value has an expected life of ten years. However, all of the vans and minibuses to date have been bid at less than $30,000. There's a possibility that minibuses in the upcoming rounds might go over that market and have a useful life of ten years; but presently it would be five.

MS. FRIED: May I ask about the procedure of selling or when you purchase a new vehicle?

CHAIRMAN THATCHER: Using an older vehicle as part of local match?

MS. FRIED: I meant when one of them is worn out and you do have to replace it. I know the Department of Transportation is the first lien. Then what happens?

CHAIRMAN THATCHER: Yes. There would be two possibilities. First, if the vehicle is over five years in age, then the agency can sell the vehicle and 100 percent of the cost of the vehicle or the price obtained would go to the private non-profit agency. Basically after the useful life the vehicle becomes the property of the private non-profit agency.

If, however, the vehicle's useful life is less than five years, then the agency would have to document to UMTA why they felt the vehicle could not be repaired and put back into service. No, that wouldn't be different. I'm sorry. In both cases once the useful life of the vehicle is exceeded, if UMTA has agreed that the repairs of the vehicle less than five years old necessitate that it has no more useful life, then again it would become the property of the private non-profit and the salvage value would go to the non-profit. If there is an accident and insurance settlement on

a vehicle under five years old, what we usually do is set aside 80 percent of the insurance value of the vehicle in an interest-bearing account to be applied for a new grant for a new vehicle; and 20 percent of the insurance settlement would go directly back to the private non-profit for their original 20 percent contribution.

MS. FRIED: Thank you.

CHAIRMAN THATCHER: Any other questions at all?

MS. SNYDER: Do you want us to sign an attendance sheet or anything?

CHAIRMAN THATCHER: Sure, that would be a good idea. Why don't I pass a piece of paper around?

Last chance. Any other questions?

(No response.)

MS. FRIED: May I ask, Ruth Fried again, if the specifications that have been set forth here are what you're going to go out and bid with, is there any room for change?

CHAIRMAN THATCHER: Yes. The specifications provided in the appendix are the ones that we presently have that we used for the third-round procurement. Before we go out to bid for the

fourth round and in each subsequent year, we will have a meeting of our Technical Committee; and we will also send out a memo to all of the fourth-round agencies asking if you'd like to participate in a review of the specifications prior to going out to bid. So there is room for improvement. We try and improve the specifications each year of the program. We do ask agencies that have vehicles presently to get word back to us on any problems that they have with vehicles so that we can improve them. So you will have an opportunity to have input in there before we go out to bid. Bidding on the fourth round, by the way, will start probably the end of August, possibly early September. We'd like to get the vehicle out to fourth-round agencies at the latest in February.

MS. FRIED: Good. There is a problem with some of the older vehicles. I'd like to be able to have it noted.

CHAIRMAN THATCHER: Okay. You could both get us a letter on any problems you've experienced and suggestions for the specifications; and also I'll keep in mind that you'd like to be represented on that Review Committee for Specifications.

Then I'll call the public hearing to a close.

(Whereupon, the hearing was adjourned at 2:30 p.m.)

CERTIFICATE

Commonwealth of Massachusetts

Suffolk, ss.

I, Rebecca L. Bissonette, Registered Professional Reporter/Certified Shorthand Reporter, do hereby certify that the foregoing record, Pages 1 through 42, inclusive, is a complete and accurate transcript of my stenographic notes taken in the above-entitled matter.

Registered Professional Reporter/
Certified Shorthand Reporter

THE FOREGOING CERTIFICATION OF THIS TRANSCRIPT DOES NOT APPLY TO ANY REPRODUCTION OF THE SAME BY ANY MEANS UNLESS UNDER THE DIRECT CONTROL AND/OR DIRECTION OF THE CERTIFYING REPORTER.

MAPC 504 SURVEY INSTRUMENT

BUILDING: 110 Tremont Street, Boston, MA; M.A.P.C., 5th Floor

CHECKED BY: Terry Strempek DATE: October 7, 1980

	YES	N/A
A. WALKS		
1. Minimum 4'0" wide.		X
2. Gradient 5 percent maximum.		X
3. Continuing common surface not interrupted by steps or abrupt changes in level.		X
4. Blend to a common level wherever they cross other walks, driveways, or parking lots.		X
5. Level platform at the top which is at least 5'0" x 5'0" if door swings out, or 3'0" deep x 5'0" if door does not swing into walk.		X
6. Platform extends at least 1'0" beyond doorway on knob side.		X
B. PARKING LOTS		
1. Accessible spaces near facility.		X
2. Identified for use by physically handicapped.		X
3. Spaces open one side on level surface.		X
4. Spaces minimum 12'0" wide.		X
5. Physically handicapped not compelled to wheel or walk behind parked cars.		X
6. Clear path of travel to entrance from transit stop or vehicular arrival point.		X
C. RAMPS		
1. Maximum slope 1:12.		
2. Handrail on at least one side of ramp.		
3. Handrail 2'8" high (measured from the ramp surfaces).		

	YES	N/A
4. Handrail surface smooth.	____	____
5. Handrail extend 1'0" beyond top and bottom of ramp.	____	____
6. Nonslip surface.	____	____
7. Platforms comply with Items A-5 and A-6 and are 5' long.	____	____
8. Minimum 6'0" straight clearance at bottom.	____	____
9. 5' long level rest platforms at 30'0" intervals maximum.	____	____
10. Level platforms at turns at least 5' long.	____	____

D. ENTRANCES

1. At least one primary entrance usable by individuals in wheelchairs.	X	____
2. At least one entrance provides individuals in wheelchairs access to elevators.	X	____
3. Clearly marked with symbol of access.	____	____

E. DOORS AND DOORWAYS (EXTERIOR AND INTERIOR)

1. Minimum 2'8" clear opening.	X	____
2. Doors level on both sides of door and level 5'0" minimum in direction door swings.	X	____
3. Doors operable on a single effort of about 5 to 8 pounds of pressure.	X	____
4. Floor extends at least 1'0" beyond doorway on both sides.	X	____
5. Sharp inclines and abrupt changes in level avoided at doorsills.	X	____

F. STAIRS

1. Steps avoid abrupt nosings.	____	____
2. Handrails 2'8" above tread at face or riser.	____	____
3. At least one handrail extending minimum 1'6" beyond top and bottom steps.	____	____
4. Maximum 7" risers wherever possible.	____	____

	YES	N/A
FLOORS		
1. Nonslip surface wherever practicable.	X	
2. Floors on each story not at a common level are connected by ramp. (See Section C for ramp requirements.) (Doorway/ramp to 120 Tremont)	X	
TOILET ROOMS		
1. Toilet rooms accessible and usable by the physically handicapped.		
2. Toilet rooms have wheelchair turning space of 5'0" x 5'0", minimum.	X	
3. At least one stall that:		
a. Is 3'0" wide minimum.		
b. Is minimum 4'8" (preferably 5'0") deep.		
c. Has 2'8" wide outswinging door.		
d. Has grab bars on each side, 2'9" high and parallel to the floor, 1½" in diameter, with 1½" clearance between rail and wall, fastened securely to wall at ends and center.		
4. Lavatory usable by individuals in wheelchairs.		
5. Mirrors and shelves where provided mounted as low as practicable and no higher than 3'4" above floor.		
6. Men's urinal, elongated lip type with opening of basin 15" maximum from floor.		
7. Appropriate number of accessories mounted 3'4" maximum from floor.		
a. Towel bar or dispenser (must be single action type).		
b. Other dispensers and disposal units.		
WATER FOUNTAINS		
1. Accessible and usable by physically handicapped.		
2. Clear knee space under bowl.		
3. Up-front spouts and controls (spout must be near parallel to front of bowl).		

	YES	N/A
4. Hand operated or hand and foot operated.	____	____
5. Bowl 32" maximum above floor.	____	____
J. PUBLIC TELEPHONES		
1. Accessible and usable by the physically handicapped.	____	____
2. Height of dial, handset, and coin slot maximum 4'0" above floor.	____	____
3. Identified and equipped for persons with hearing disabilities.	____	____
K. ELEVATORS		
1. Accessible and usable by the physically handicapped at all levels normally used by the public.	X	____
2. Control buttons labeled for the blind.	____	____
3. Control buttons, telephones, etc., mounted 54" from floor.	____	____
L. SWITCHES AND CONTROLS		
1. Switches and controls for light, heat, ventilation, windows, draperies, fire alarms, etc., maximum 4'0" above floor.	____	____
M. IDENTIFICATION		
1. Braille symbols or raised letters or numbers idenfity rooms and offices.	____	____
2. Placed on walls (not on doors).	____	____
3. Height 4'6" to 5'6" above floor.	____	____
4. Doors not intended for normal use, that may be dangerous to the blind, have knurled door knobs or equivalent tactile markings.	____	____
N. WARNING SIGNALS		
1. Audible warning signals for the blind accompanied by simultaneous visual signals for individuals with hearing disabilities. Such visual signals must be visible from all areas used by the public or employees. Strobe lights preferred.	____	____

	YES	N/A
O. HAZARDS		
1. Manholes or access panels when open and open excavations on the site shall have barricades on all open sides, 8'0" minimum from hazard, and warning devices installed.	____	____
2. Avoid low-hanging door closers within opening of doorways, or protruding hazardously into corridors or traffic ways when door is closed.	____	____
3. Signs, ceiling lights, fixtures or similar object protruding into corridors or traffic ways minimum 7'0" above floor.	____	____
P. LIGHTING		
1. Lighting on ramps not less than 1 footcandle per square foot.	____	____
2. Exit signs identifiable to all handicapped individuals.	____	____

NOTE: This section of the checklist does not have a "NO" column. If the "YES" or "N/A" column is not checked, a "NO" answer is implied.

CTPS 504 SURVEY INSTRUMENT

BUILDING: 27 School Street, Boston, Mass 02180; CTPS on 2nd floor

CHECKED BY: Anthony J. DiSarcina, P.E. DATE: October 7, 1980

	YES	N/A
A. WALKS (None)		
1. Minimum 4'0" wide.	____	X
2. Gradient 5 percent maximum.	____	X
3. Continuing common surface not interrupted by steps or abrupt changes in level.	____	X
4. Blend to a common level wherever they cross other walks, driveways, or parking lots.	____	X
5. Level platform at the top which is at least 5'0" x 5'0" if door swings out, or 3'0" deep x 5'0" if door does not swing into walk.	____	X
6. Platform extends at least 1'0" beyond doorway on knob side.	____	X
B. PARKING LOTS (None)		
1. Accessible spaces near facility.	____	X
2. Identified for use by physically handicapped.	____	X
3. Spaces open one side on level surface.	____	X
4. Spaces minimum 12'0" wide.	____	X
5. Physically handicapped not compelled to wheel or walk behind parked cars.	____	X
6. Clear path of travel to entrance from transit stop or vehicular arrival point.	____	X
C. RAMPS (None)		
1. Maximum slope 1:12.	____	X
2. Handrail on at least one side of ramp.	____	X
3. Handrail 2'8" high (measured from the ramp surfaces).	____	X

	YES	N/A
4. Handrail surface smooth.	____	X
5. Handrail extend 1'0" beyond top and bottom of ramp.	____	X
6. Nonslip surface.	____	X
7. Platforms comply with Items A-5 and A-6 and are 5' long.	____	X
8. Minimum 6'0" straight clearance at bottom.	____	X
9. 5' long level rest platforms at 30'0" intervals maximum.	____	X
10. Level platforms at turns at least 5' long.	____	X
D. ENTRANCES		
1. At least one primary entrance usable by individuals in wheelchairs.	X	____
2. At least one entrance provides individuals in wheelchairs access to elevators.	X	____
3. Clearly marked with symbol of access.	____	X
E. DOORS AND DOORWAYS (EXTERIOR AND INTERIOR)		
1. Minimum 2'8" clear opening.	X	____
2. Doors level on both sides of door and level 5'0" minimum in direction door swings.	X	____
3. Doors operable on a single effort of about 5 to 8 pounds of pressure.	X	____
4. Floor extends at least 1'0" beyond doorway on both sides.	X	____
5. Sharp inclines and abrupt changes in level avoided at doorsills.	X	____
F. STAIRS		
1. Steps avoid abrupt nosings.	X	____
2. Handrails 2'8" above tread at face or riser.	____	____
3. At least one handrail extending minimum 1'6" beyond top and bottom steps.	____	____
4. Maximum 7" risers wherever possible.	X	____

	YES	N/A
FLOORS		
1. Nonslip surface wherever practicable.	X	
2. Floors on each story not at a common level are connected by ramp. (See Section C for ramp requirements.)		X
TOILET ROOMS		
1. Toilet rooms accessible and usable by the physically handicapped.		
2. Toilet rooms have wheelchair turning space of 5'0" x 5'0", minimum.		
3. At least one stall that:		
a. Is 3'0" wide minimum.		
b. Is minimum 4'8" (preferably 5'0") deep.		
c. Has 2'8" wide outswinging door.		
d. Has grab bars on each side, 2'9" high and parallel to the floor, 1½" in diameter, with 1½" clearance between rail and wall, fastened securely to wall at ends and center.		
4. Lavatory usable by individuals in wheelchairs.		
5. Mirrors and shelves where provided mounted as low as practicable and no higher than 3'4" above floor.		
6. Men's urinal, elongated lip type with opening of basin 15" maximum from floor.		
7. Appropriate number of accessories mounted 3'4" maximum from floor.		
a. Towel bar or dispenser (must be single action type).		
b. Other dispensers and disposal units.		
WATER FOUNTAINS		
1. Accessible and usable by physically handicapped.		
2. Clear knee space under bowl.		
3. Up-front spouts and controls (spout must be near parallel to front of bowl).		

	YES	N/A
4. Hand operated or hand and foot operated.	____	____
5. Bowl 32" maximum above floor.	____	____
J. PUBLIC TELEPHONES (None)		
1. Accessible and usable by the physically handicapped.	____	X
2. Height of dial, handset, and coin slot maximum 4'0" above floor.	____	X
3. Identified and equipped for persons with hearing disabilities.	____	X
K. ELEVATORS		
1. Accessible and usable by the physically handicapped at all levels normally used by the public.	X	____
2. Control buttons labeled for the blind.	____	____
3. Control buttons, telephones, etc., mounted 54" from floor.	____	X
L. SWITCHES AND CONTROLS		
1. Switches and controls for light, heat, ventilation, windows, draperies, fire alarms, etc., maximum 4'0" above floor.	X	____
M. IDENTIFICATION		
1. Braille symbols or raised letters or numbers idenfity rooms and offices.	____	____
2. Placed on walls (not on doors).	X	____
3. Height 4'6" to 5'6" above floor.	____	____
4. Doors not intended for normal use, that may be dangerous to the blind, have knurled door knobs or equivalent tactile markings.	____	____
N. WARNING SIGNALS		
1. Audible warning signals for the blind accompanied by simultaneous visual signals for individuals with hearing disabilities. Such visual signals must be visible from all areas used by the public or employees. Strobe lights preferred.	____	____

	YES	N/A
O. HAZARDS		
1. Manholes or access panels when open and open excavations on the site shall have barricades on all open sides, 8'0" minimum from hazard, and warning devices installed.	____	X
2. Avoid low-hanging door closers within opening of doorways, or protruding hazardously into corridors or traffic ways when door is closed.	____	X
3. Signs, ceiling lights, fixtures or similar object protruding into corridors or traffic ways minimum 7'0" above floor.	____	X
P. LIGHTING		
1. Lighting on ramps not less than 1 footcandle per square foot.	____	X
2. Exit signs identifiable to all handicapped individuals.	____	____

NOTE: This section of the checklist does not have a "NO" column. If the "YES" or "N/A" column is not checked, a "NO" answer is implied.